

Illegal immigrants warned of fraud

by [Alan Gomez](#) on Aug. 03, 2012

An estimated 800,000 illegal immigrants across the country can start gathering their birth certificates, high school diplomas and military records to show that they qualify for a new Obama administration program that can grant them deportation reprieves.

Starting Aug. 15, illegal immigrants who were brought to the U.S. as children (younger than 16), have graduated high school or served in the military can apply to receive a two-year deferment from deportation proceedings. At the same time, they can apply for a work permit.

The total cost for the application process will be \$465, U.S. Citizenship and Immigration Services Director Alejandro Mayorkas said Friday while explaining how the process will work.

While supporters have been relieved since Department of Homeland Security Secretary Janet Napolitano announced the plan in June, they are now more concerned with illegal immigrants fearful of applying, or being taken advantage of by real or fake immigration attorneys.

Gerardo Salinas, 25, an illegal immigrant whose family brought him to Chicago from Mexico when he was 13, said he heard radio ads for lawyers offering assistance shortly after Napolitano's decision. He visited two attorneys, and they each said it would cost \$1,700 for them to collect his paperwork and submit it to the federal government.

He refused to pay the fee. But Salinas, who went blind when he was 12, wants to be an immigration attorney and was stunned to see people taking advantage of this life-altering opportunity for young illegal immigrants.

"They're Latinos," he said of the attorneys. "They may not be undocumented, but they have relatives, friends who are or were undocumented. They should know how much we suffer to work, how much we suffer getting health care, with school. It's sad."

Similar reports have been pouring into the offices of civil rights groups and members of Congress for weeks. On Thursday, about a dozen congressmen came together to warn people who qualify for the deferment against attorneys, sometimes referred to as "notarios," seeking payment.

"Please don't be taken advantage of," said Rep. Xavier Becerra, D-Calif. "You don't need an attorney."

Jacqueline Esposito, of the New York Immigration Coalition, said many are fearful that the government will use the program to identify and capture relatives who are illegal immigrants. But Homeland Security officials said Friday that information in applications will be confidential and will not be used to round up other people.

"There's a lot of skepticism about DHS and this administration," Esposito said. "We are assuring them that they're not putting their families at risk if they apply."

The members of Congress also warned potential beneficiaries of the program that if they attempt to defraud the system, it will not only hurt themselves, but the entire movement to grant them full legal status.

“Tell the truth on the applications,” said Rep. Howard Berman, D-Calif., one of the original sponsors of the DREAM Act, which would grant legal permanent residency to young illegal immigrants. “There is nothing that will hurt our long-term cause or your individual situation more than misrepresenting critical facts on that form. It will come back to haunt you in ways you can’t anticipate.”

Homeland Security officials emphasized that point on Friday when outlining the plan. While they will not use the application process to round up illegal immigrants, they will pull out applicants who lie on their applications, pose a threat to public safety or have a serious criminal record.

Under the guidelines released Friday, illegal immigrants need to meet the following requirements to qualify:

- Were under the age of 31 as of June 15, and entered the United States before reaching their 16th birthday.
- Are currently in school, have graduated high school or obtained a certificate of completion or a GED, or are honorably discharged from the U.S. military or the Coast Guard.
- Have not been convicted of a felony, three or more misdemeanors or one serious misdemeanor, described as either driving under the influence or a range of gun, sex or burglary offenses.

Mayorkas would not say how much it would cost to hire additional staff to process the hundreds of thousands of applications. But an internal outline of the program obtained by the Associated Press estimated that it could cost up to \$585 million, with user fees either paying for all of the costs, or coming up a little short.

Opponents of the program, including Rep. Lamar Smith, R-Texas, chairman of the House Judiciary Committee, said the guidance issued Friday leaves the door wide open for fraud. He said the program will divert funding and resources from Citizenship and Immigration Services officers working on legal visa applications. And he wondered how the administration could be working so hard to help illegal immigrants on a day that the national unemployment rate rose to 8.3%.

“Today’s guidance undermines the rule of law and gives lawbreakers an unfair advantage over legal immigrants,” Smith said. “When will this president’s assault on the rule of law and the American people end?”

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